

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CAROL A. WILSON, et al.,

Plaintiffs,

v.

**ALL PHASE MASONRY AND
CONSTRUCTION, LLC,**

Defendant.

:
:
:
:
:
:
:
:
:
:
:

Case No. 2:15-CV-2760

JUDGE ALGENON L. MARBLEY

Magistrate Judge Kemp

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation, which recommends that the Court hold Defendant All Phase Masonry and Construction, LLC in contempt and that a fine of \$100.00 per day be imposed on Defendant until it complies with the Court's March 14, 2016 order that it permit Plaintiffs to conduct an audit of its records. (Doc. 17.) The Magistrate Judge also recommends that Defendant be ordered to pay all attorneys' fees and costs reasonably expended by Plaintiffs in connection with the contempt proceedings. (*Id.* at 1.)

The parties were advised of their opportunity to object to the Report and Recommendation within fourteen days of the Report and that a failure to object would result in a waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operate as a waiver of the right to appeal the decision. (*Id.* at 2.) Based on its independent analysis herein, the Court **ADOPTS** and **AFFIRMS** the Report and Recommendation (Doc. 17) and **GRANTS** Plaintiff's Motion for Contempt. (Doc. 11.) Defendant is hereby **HELD IN CONTEMPT** and **ORDERED** to pay a fine of \$100.00 per day

until it complies with the order. Defendant is further **ORDERED** to pay all attorneys' fees and costs reasonably expended by Plaintiffs in connection with the contempt proceedings.

IT IS SO ORDERED.

s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: September 21, 2016